

**COASTAL RESOURCES MANAGEMENT COUNCIL  
PERFORMANCE AUDIT  
MAY 2003**

**DEPARTMENT OF ADMINISTRATION  
BUREAU OF AUDITS  
ONE CAPITOL HILL  
PROVIDENCE, RI 02908-5889**



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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COASTAL RESOURCES MANAGEMENT COUNCIL  
PERFORMANCE AUDIT  
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**EXECUTIVE SUMMARY**

The Coastal Resources Management Council (The Council) needs to aggressively pursue its mandates in dredged material management involving the establishment of in-water disposal sites and completion of a comprehensive plan.

The Council's performance measure in designating and reporting of Public Rights-of-Way (ROW) should contain more information by identifying potential sites not yet reviewed and consider including additional information related to shoreline access in their report. Also the Council should solicit local officials and residents for information on potential new ROW locations.

The Council should initiate a dialogue with the Department of Environmental Management (DEM) for the purpose of exploring potential benefits of an organizational transfer of the Narragansett Bay Estuary Program. Should it be determined that the program remain with DEM, the council should request from DEM a memorandum of agreement to clarify and coordinate the role of each State agency in the program.

Several areas need to be addressed in the finance and administration including the consideration of consolidating the council's two offices, strengthening internal controls over fees and fines, and complying with Section A-51 of the Department of Administration Procedural Handbook--"Employer-Provided Vehicles."

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PERFORMANCE AUDIT  
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May 8, 2003

Grover J. Fugate, Executive Director  
Coastal Resources Management Council  
Steadman Government Center  
4808 Tower Hill Road  
Wakefield, RI 02879

Dear Mr. Fugate:

We have completed our performance audit of the Coastal Resources Management Council. Our audit was conducted in accordance with Section 35-7-3 and 35-7-4 of the Rhode Island General Laws.

The findings and recommendations included herein have been discussed with management and we have considered their comments in the preparation of our report. Management's response to our recommendations is included in the last section of this report.

In accordance with Section 35-7-4 of the General Laws, we will review the status of the Coastal Resources Management Council corrective action plan within 6 months from the date of issue of this report.

Sincerely,

Stephen M. Cooper, CFE, CGFM  
Chief, Bureau of Audits

SMC:pp

COASTAL RESOURCES MANAGEMENT COUNCIL  
PERFORMANCE AUDIT  
MAY 2003

**INTRODUCTION**

**Objectives, Scope, and Methodology**

We conducted a performance audit of the Coastal Resources Management Council for the fiscal year ended June 30, 2001 and the period July 1, 2001 to May 3, 2002. Our objectives were to determine if the Coastal Resources Management Council complied with state laws and regulations in an economical and efficient manner.

Our audit was made in accordance with the *Standards for the Professional Practice of Internal Auditing* issued by the Institute of Internal Auditors. In conducting our audit, we evaluated the practices and procedures used by the Coastal Resources Management Council in administering its operations. Our purpose was to identify practices and procedures that could be improved or made more efficient, and to identify any significant non-compliance with applicable state or federal laws. To achieve our objectives we reviewed relevant policies and procedures, state laws and regulations, and applicable federal laws; interviewed responsible personnel; and performed tests of the records and such auditing procedures we considered necessary in the circumstances.

The findings and recommendations included herein have been discussed with management and we have considered their comments in the preparation of our report. Section 35-7-4 (c) of the Rhode Island General Laws requires the auditee to respond in writing within 60 days to all recommendations made in the report. Management's response to our findings and recommendations were submitted on May 2, 2003 and are included in the last section of this report.

**Background**

The Coastal Resources Management Council (The Council) was created in 1971 to preserve, protect, develop and, where possible, restore the coastal sources of the State. The Council carries out its permitting, enforcement, and planning functions primarily through its management programs. The Council is closely involved with the National Oceanic and Atmospheric Administration of the US Department of Commerce in a series of initiatives to improve the management of the state's coastal resources.

In 1996 the Council became the lead agency for dredging and aquaculture. In addition, legislative changes have shifted the jurisdiction of certain fresh water wetlands and the permitting responsibility from the Department of Environmental Management to the Council. Finally, in FY 2002, the legislature designated The Council as the lead State agency in the coastal and estuarine habitat restoration program.

COASTAL RESOURCES MANAGEMENT COUNCIL  
PERFORMANCE AUDIT  
MAY 2003

**FINDINGS AND RECOMMENDATIONS**

**Dredged Material Management**

RIGL 46-23-18.3 requires the Coastal Resources Management Council (the Council) to "identify and establish one or more in-water disposal sites to be used for the purpose of disposal of dredge materials from marinas and yacht clubs" by January 1, 1999. This statute further required the Council to identify and establish "one or more in-water disposal sites to be used for the purpose of disposal of dredge materials..." from all other sources by January 1, 2002. Both types of disposal sites are to be based upon the recommendations of the Council's coastal resources advisory committee.

Further, the Council pursuant to RIGL 46-6.1-5 shall prepare, adopt and maintain "a comprehensive plan for dredged material management for dredging that takes place in the coastal zone." At a minimum this comprehensive plan should include coastal zone and upland areas deemed suitable for disposal of dredged material, areas suitable for dewatering, and for the monitoring of dredged material disposal in the coastal zone. RIGL 46-23-1 (b) (e) further designates the Council as the lead state agency for purposes of dredging in tidal waters. The Council has informed us that to date no comprehensive plan has been adopted.

In reviewing sites as required by RIGL 46-23-18.3 the Council has granted a total of only five (5) dredging permits in the past two and a half years, all of which have involved minor work with on-land disposal of the material. This limited permit activity may be due, in part, to the lack of a comprehensive plan for the establishment of in-water disposal sites required for two separate sources of dredged material. The Council has, however, informed us that an in-water site has been identified for the disposal of dredged material from marinas and yacht clubs and that the announcement and publication of this site will be forthcoming.

**Recommendations**

1. The Council should aggressively pursue its mandates for the establishment of in-water disposal sites and for completion of the comprehensive plan for dredged material management.
2. The Council should confer with the coastal resources advisory committee to establish realistic dates based on current factors to meet these objectives, and, if appropriate, advise the legislature.

## **Designating and Reporting of Public Right-of-Ways**

RIGL 46-23-6 (5) (i) gives the Council the responsibility “for the designation of all public right-of-way to the tidal water areas of the state, and shall carry on a continuing discovery of appropriate public rights-of-way to the tidal water areas of the state.” Further, RIGL 46-23-17 requires the Council to “submit a written progress report on the development of public rights-of-way to the tidal water areas of the state, to the state planning council, the department of environmental management, and the joint committee on the environment, for review, evaluation and recommendation of the program’s suitability....” There have not been any new sites designated in the last three years, and it appears that a lack of project funding has hampered the Council to conduct studies to identify potential sites. It would be worthwhile and inexpensive to solicit views from municipal officials and local residents to assist in identifying potential sites – a practice used by other states.

Based on the Council’s June 30, 2001 report, 349 sites were reviewed and ultimately 216 sites were designated as rights-of-way. The goal of the Council is to designate at least one public right-of-way for each of Rhode Island’s 420 miles of the shoreline. The goal of designating 420 sites may be overly ambitious and should be reviewed.

The Council submitted a performance measurement for inclusion in the Annual Budget indicating “Cumulative Percentage of Shoreline Miles with Designed Rights-of-Way Sites.” The measurement is an “output” measurement rather than an “outcome” measurement. The former focuses on quantity of the goods or services provided while the latter focuses on the quality of the goods and services provided in the context of the organization’s mission. In addition, the measurement (cumulative) reflects past accomplishments rather than a measurement against the Council’s annual efforts.

In 1993 a guide entitled “Public Access to Rhode Island Coast” was published by the Council using a Rhode Island Sea Grant and listed sites 1) owned by governments, 2) private organizations, or 3) deemed rights-of-way. Information appearing in the guide was more than sufficient for public use. The guide is outdated and the annual progress report presently submitted to the General Assembly only identifies the public’s access routes to the shoreline. It does not contain information on the extent to which the public can walk along the shoreline, the proximity of abutting state and municipal areas, and a description of the right-of-way.

### **Recommendations**

3. The Council should solicit state and local governments and local residents to identify potential sites for designation as Rights-of-Way.
4. The Council should review the feasibility of achieving its goal of designation of Rights-of-Way for each mile for the Rhode Island shoreline.
5. The Council should establish performance measurements that reflect outcomes.

## **Recommendations – (Cont'd)**

6. Information related to Rights-of-Way should be expanded to provide more useful access to the citizens.

## **Narragansett Bay Estuary Program**

The Narragansett Bay Estuary Program (NBEP) is part of the National Estuary Program (NEP) administered by the Office of Wetlands, Oceans, and Watersheds of the Environmental Protection Agency (EPA). The NEP was established in the Water Quality Act of 1987 to develop and implement plans to protect the integrity of nationally significant estuaries threatened by pollution, development, or overuse. The NBEP has been part of the Department of Environmental Management (DEM) since 1993 following approval of its comprehensive conservation and management plan by the EPA and the Governor.

There currently is no Memorandum of Agreement (MOA) between the Council and DEM for the program. This is required when a state's cognizant NEP agency (DEM in Rhode Island) is not the state's cognizant coastal zone management agency (the Council). Federal officials have advised that the program can reside in either state agency, but under the state's current dual agency configuration a MOA is needed. Our review of the Council's involvement in the NBEP has brought out several operational issues indicating that it may be beneficial to have discussions between the Council and DEM to determine the most effective and efficient way to manage the program, with a view towards considering transfer of the NBEP to the Council based in part on the following:

- A recent Rhode Island General Law, Title 46, Chapter 23.1 gives legislative authority to the Council to develop and implement a coastal and estuarine habitat restoration program for the State. This is a key ingredient of the NBEP and its comprehensive conservation and management plan.
- An equivalency of two Council staff appear to perform NBEP type functions. It is not possible to determine how much overlap and duplication there is with DEM functions due to the lack of a MOA but there is a likelihood of this in some areas such as natural resource planning and habitat restoration.
- DEM's principal location is in Providence while the Council is in Wakefield near the Narragansett Bay coastline and within the proximity of the University of Rhode Island as well as nearby locations of EPA and National Oceanic and Atmospheric Administration. All of these organizations play a vital role in monitoring the cleanliness of Narragansett Bay and would be a major consideration favoring the Council.

## **Recommendations**

7. The Council initiate a dialogue with DEM for the purpose of exploring potential benefits of an organizational transfer of the NBEP from DEM to the Council.



## **Recommendations – (Cont'd)**

8. Should it be determined that the current NBEP arrangement would best be continued under DEM, the Council request that DEM initiate a memorandum of agreement as required by the federal oversight agency to clarify and coordinate the role of each state agency in the program.

## **Office Operations**

The Council operates offices in Providence and Wakefield. Most of the operations are conducted out of the Wakefield office with the financial staff in Providence. The main justification we were given for the Council utilizing the Providence office is to serve the public from the Providence and East Bay areas. We were also told that it is used to conduct meetings and that most of the operating cost is borne by federal funds. Our review of the situation indicated the following:

- Only two financial staff members, for the most part, use the Providence office.
- A great deal of time is spent sending and receiving documents and information between the two offices.
- The controls over the processing and recording of information between the offices are weak in several areas.
- Very few meetings appear to be held at the Providence office.
- We did not observe many members of the public using the Providence office to pay fees or conduct business in person and there is no separate documentation to identify how many permits are issued there.

Based on this overview we believe the Council should take a comprehensive look to determine if it would be beneficial to consolidate all operations in the Wakefield office to enhance overall program efficiency and effectiveness without any adverse effects on services provided to the public. The benefits that could result from a consolidation include:

- Better administrative support and controls for the program.
- Reduction in some unnecessary costs and reallocation of certain expenditures to enhance the program.
- Better overall efficiency and effectiveness.

## **Recommendation**

9. The Council should examine the issue of consolidating their office operations to improve overall efficiency and effectiveness to better support achieving their program goals.

## **Controls Over Fees and Fines**

The Council collects fees for permits and most of those are issued in the Wakefield office. The information and amounts collected are recorded in a computerized acceptance log with a file number assigned and the checks are sent to the Providence office to be recorded and deposited. The related paperwork for any permits issued in Providence is sent to Wakefield to be recorded in the log while the checks are kept and deposited. The amounts in the acceptance log are not reconciled to the deposits.

The Council enforcement employees use outdated cease and desist order forms which may result in administrative fees or fines ordered in most cases as a result of an administrative hearing. Computerized information is maintained for the disposition of these fees and fines; however, that information is not always updated and adequately documented. The only accountability for these fees or fines appears to be folders containing notices of administrative fine and consent agreements resulting from administrative hearings.

Controls over the collection of these various fees and fines need to be strengthened to ensure that all activity can be accounted for and adequate procedures supporting program objectives are being adhered to.

### **Recommendations**

10. Amounts received for permits recorded in the acceptance log should be reconciled to deposits made.
11. Computerized information relating to the disposition of administrative fees and fines should be kept complete and current and be supported by adequate documentation including relevant up-to-date pre-numbered forms.

## **Estimated Project Costs for State Assent Applications**

The Council's Management Procedures require that applications for State Assent where determination is not applicable or available by a building official, contain an estimated projects cost (EPC) as represented by the applicant that will be used as the basis for the assessed fee. Our testing of assent applications showed instances where the information supplied for the EPC was inconsistent with or did not provide sufficient representation to support the fee assessed.

### **Recommendation**

12. The Council should ensure that their management procedures require sufficient, competent, and relevant documentation to support the EPC on which the fee is based.

## **Employer-Provided Vehicles**

The Internal Revenue Service has issued rules and regulations detailing how employees will be taxed on employer-provided vehicles used for commuting purposes.

The value of employer-provided road vehicles used by state employees for commuting are fringe benefits and must be included in wages for income tax and social security tax purposes.

Most employees of the Council who use state-owned vehicles for commuting were not properly reporting their total commuting miles in accordance with procedures to the Office of Accounts and Control. The Council policy defined commuting miles as being to and from an employee's residence to the nearest state's vehicle storage facility, rather than to and from an employee's workplace and residence as required by Section A-51 of the Department of Administration Procedural Handbook.

Prior to March 11, 2002, employees were reimbursing the state for commuting miles based on the above defined by Council policy and were reporting the reimbursed miles as their total commuting miles to the Office of Accounts and Control.

After March 11, 2002, eight employees were made exempt from reimbursing the state for commuting miles under RIGL 42-11.3-4, "Reimbursement of Governmental Body for Commuting Mileage," which allows an exemption when it is established that an employee's commuting use of a state-owned vehicle is clearly beneficial to the state. However, the Council does not have clear written policies to document the circumstances or conditions under which an employee's commuting use of a state owned vehicle is clearly beneficial to the state.

## **Recommendations**

13. The Council should report commuting mileage in accordance with Section A-51 of the Department of Administration Procedural Handbook so that the value of employer-provided vehicles used by state employees for commuting can be included in wages for tax purposes.
14. The Council should develop clear written policies to determine and document conditions that make commuting use of state-owned vehicles beneficial to the state.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

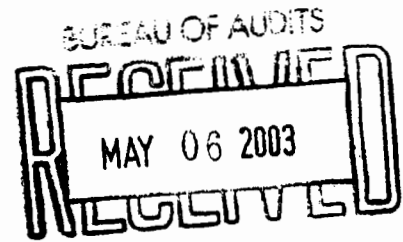
COASTAL RESOURCES MANAGEMENT COUNCIL

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May 2, 2003

Steve Cooper, Chief  
Bureau of Audits  
Department of Administration  
One Capitol Hill  
Providence, RI 02903



Dear Mr. Cooper:

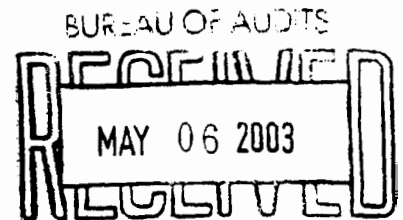
Attached is the Coastal Resources Management Council's response to the Bureau of Audits' Performance Audit of the agency.

Thank you for the opportunity to provide this response.

Sincerely,

Jeffrey M. Willis  
Deputy Director

cc: Grover J. Fugate, Executive Director  
Cheryl Allan, Chief Resources Specialist



**Coastal Resources Management Council**

Agency Response  
to the

Department of Administration  
Bureau of Audits

**Performance Audit**

for the  
Coastal Resources Management Council

for the period FY2001 and  
July 1, 2001 to May 3, 2002

Coastal Resources Management Council  
**Response to DOA Performance Audit**  
January 2003

**DREDGED MATERIAL MANAGEMENT**

Recommendation #1

The Council agrees that it will continue to aggressively pursue the establishment of an in-water dredged material disposal site and completion of a comprehensive plan for dredged material management, in accordance with 1996 Public Law Chapter 271, the Marine Infrastructure Maintenance Act.

We respond further that, while pursuing these actions since the passage of the 1996 Act and achieving considerable success, we cannot fulfill each legislative mandate without substantial state funding.

The requirements, for example, to establish an in-water dredged material disposal site (or sites) is dictated by federal regulation, primarily that of generating sufficient scientific data to support the proposed use of an in-water dredged material disposal site. Briefly, this entails: (1) physical data collection such as sediment bottom profiles and sediment composition at both a disposal site(s) and a control site, know as a reference site; (2) chemical data collection of a prescribed list of contaminant constituents of concern of the sediments at both a disposal site(s) and a reference site; and, (3) a biological assessment of the habitats in and around these areas that may be impacted by the disposal of dredged material. Also, the federal government regulates the use of these sites when proposed for dredged material disposal, thereby adding to the need to accurately assess a sites potential as a disposal site.

The Council has secured and utilized state funding for collecting and analyzing both the physical and chemical characteristics of one potential in-water dredged material disposal site and its reference site, but still needs to assess the biological resources prior to considering the site's use as a disposal site.

As for a comprehensive dredged material management plan, funding again is the major impediment facing the Council in its efforts to realize the mandates of the Marine Infrastructure Maintenance Act.

In our work over the past many years in assisting the Army Corps of Engineers in its Environmental Impact Statement (EIS) development for the Providence River and Harbor Maintenance Dredging Project, we have come to understand the considerable expense of putting such a management program in place. As above, much scientific data collection is necessary to properly evaluate dredging and disposal options: we need to know the physical and chemical constituents of dredged material from around Narragansett Bay, its small coves and inlets, and the coastal ponds so that we can adequately assess potential impacts to biological and other resources in those areas. To that end, the Council has petitioned the State

via the Capital Expenditure Planning process for \$1.5 million over three years. While an understanding exists within the Department of Administration for such an effort, given the state economic outlook, such funding has been hard to secure.

#### Recommendation #2

The Council agrees with this recommendation and has been utilizing, and will continue to utilize, the Coastal Resources Advisory Committee to accomplish this Recommendation's objectives.

### **DESIGNATING AND REPORTING OF PUBLIC RIGHTS-OF-WAY**

#### Recommendation #3

The Council agrees with this recommendation to solicit state and local governments and local residents to identify potential sites for designation as right-of-ways. Currently, the Council's process for such identification includes municipal participation via their municipal harbor management plans, which have a planning component for shoreline access issues. We can implement this recommendation by way of an annual solicitation detailing how participation can help the Council in identifying potential right-of-ways.

#### Recommendation #4

Given the costs of researching and holding public hearings for ROW designation, the Council's goal of providing one (1) ROW for each mile of shoreline may in fact seem overly ambitious. That is, more and more funds are needed than ever before to hold hearings and conduct legal proceedings, which has resulted in the Council only being able to annually bring forward a handful of potential ROWs to public designation.

However, the Council uses, in conjunction with municipal input (above), a 1950s era Legislative Commission on Right Of Ways Report that researched over 500 sites as possible ROWs. While many of these have since become designated public ROWs, the Council still uses this report to help it with its initial research efforts when beginning the ROW process of designation. Therefore, the Council's goal of designating one (1) ROW for each of the 420 miles of Rhode Island shoreline is still a goal that it feels it can reach over time. However, because of the issues discussed within this recommendation, the Council may revisit the goal.

#### Recommendation #5

The Council will investigate how to develop and establish a performance measure that reflects outcomes rather than outputs, such as the level and type of use that ROWs receive within a community.

#### Recommendation #6

The Council agrees with this recommendation to expand the availability and usefulness of information related to ROWs to the general public. Currently, the Council posts its annual report on ROWs on its website, and will make available both in hardcopy and web formats, the soon-to-be-completed update of shoreline access points being compiled by URI (and

funded by the Council). All information generated by the Council should be at least posted to the CRMC website. A dedicated public outreach position at CRMC would easily allow the Council to meet this recommendation, as well as most others that require the Council to make its information more accessible to the public. However, the Council does not have the funding nor approval to create and fill this position. We would seek funding and DOA approval to create such a position.

## **NARRAGANSETT BAY ESTUARY PROGRAM**

### **Recommendation #7**

The Council will implement this recommendation by initiating a dialogue with DEM for the purpose of exploring the potential benefits of an organizational transfer of the NBEP from DEM to the Council.

### **Recommendation #8**

Should it be determined that the current NBEP arrangement remain at DEM, the Council will initiate discussions to enter into a memorandum of agreement with DEM regarding the clarification and coordination of the roles of each agency in meeting the objectives for the NBEP.

## **OFFICE OPERATION**

### **Recommendation #9**

The Council does not agree with the specific recommendation to consolidate its Providence office with that of the Wakefield office to improve efficiency and effectiveness of the agency.

The Council understands that having all of its staff under one roof may offer a slight level of improvement in efficiency in the movement of paper and personnel communication, but overall, the operation of the Council in Providence has worked to our mutual benefit. East Bay communities have ready access to any CRMC services such as application packages, regulations, and general outreach materials. [The Providence office also issues permits, a portion of which are for Lightering activities. All of the State of Rhode Island's Lightering Permits are issued from here. It is a consistent practice of the freight and petroleum tanker industry to seek a permit to lighter petroleum, petroleum-related products, and other products while ships are entering Narragansett Bay, thereby necessitating the accessibility and availability of the CRMC to this industry.] The ability of those Rhode Island residents to reach our Providence offices has been one of the most beneficial assets of the Council. In fact, when the Council's federal oversight agency, the Office of Ocean and Coastal Resources Management within the Department of Commerce's National Oceanic and Atmospheric Administration, hold regular oversight performance reviews of the CRMC, it often receives criticism from residents of the East Bay region that they have to travel to Wakefield to review applications or attend meetings, but on the other hand praises the CRMC for having



application materials, regulations, and permits available at its offices in Providence so that travel time is reduced for them.

Also, the Performance Audit report cites that "very few meetings appear to be held at the Providence office." What the auditor's staff did not see were the meetings that are held after working hours: regularly scheduled monthly meetings of the Council are located at the Providence office. They facilitate both the public and Council's members schedules for attendance while keeping costs down by not having to provide for security personnel. As discussed in greater detail below, because Council members are volunteering their time to the agency, they have to put their full-time jobs first when scheduling their time relative to CRMC matters. This often dictates that meetings of the agency occur after general working hours. The Providence office allows the agency to accommodate the Council members' schedules.

Another reason that the Council cannot consolidate its offices to its Wakefield location is because the Oliver Stedman Government Building, in which the CRMC is housed, has no additional space. The office spaces allocated within the Oliver Stedman Government Building are all currently in use by various state, federal, tribal, and non-profit organizations, and have been for years. In fact, the office where the auditor's staff was located to conduct this performance review was built by the Council to address the need for more office space at the Stedman Government Building. Even though three people would be involved in such a relocation, the space requirements are considerably more than that, accounting for the financial and personnel records of that office. And with the recent addition of the state's new traffic court adjudication division to the Oliver Stedman Government Building (which displaced the former Mosquito Abatement Program laboratory), the Council does not expect new office space to open up at its Wakefield location any time soon. In fact, the traffic court adjudication division has asked the Stedman Government Building superintendent to find office space for their division; some of the individual Council offices are being targeted for use by the traffic court adjudication division.

Additionally, there is no space within the Stedman Government Building that can accommodate the numbers of people that generally attend regularly-scheduled CRMC meetings.

Historically, when the Council had to account for it, \$30,000 was allocated for rent at the Stedman Government Center. Cost allocation was later transferred to the Department of Administration.

Lastly, consolidation requires the expenditure of new, non-dedicated funds. Bringing together the two existing offices would require a new phone system, or at the least new phone lines and equipment. Our computer infrastructure would have to be expanded to accommodate the new computers onto the Council network. Moving costs would also have to be accounted for.

For the reasons given above, we do not agree with consolidating our offices within the Wakefield location.

**However, the Council does embrace office consolidation to a more central site.**

The Council has, in fact, been examining such consolidation for many years, and has had extensive and numerous meetings with RI Economic Development Corporation officials about such a move to the Quonset Point/Davisville State Office Park. These meetings have resulted in detailed discussions as to agency needs, location within the park, public area and meeting room needs, access to buildings after hours (security-related), parking, rent, etcetera.

Locating the Council within the Quonset Point/Davisville State Office Park better situates the CRMC's activities from a staff field investigation perspective; gives the agency a closer location to the majority of its volunteer Council members; and, provides the general public a closer and more accessible office location within the consolidated agency.

Because most of the application load that the Council receives is from the South County and West Bay regions of the State, a consolidation to Quonset Point/Davisville makes sense. Staff would continue to have the same level of access to these areas as it has now, as the North Kingstown area is central to both those areas.

The North Kingstown area also accommodates Council members' schedules and travel commitments. There are times when it is beneficial to have meetings and/or hearings scheduled during working hours. When their schedules allow, some Council members are available to attend these daytime meetings/hearings. However, the time it takes to travel to and from Wakefield negates a majority of Council member participation, and subsequently dictates that the Council hold a majority of its meetings and/or hearings at night. Again, because Council members are volunteering their time, it is only reasonable to hold these meetings and hearings within a practicable distance from their work locations. By locating at Quonset Point/Davisville, Council members can still reasonably travel to the CRMC to attend daytime meetings when these meetings are needed.

Having the CRMC located at Quonset Point/Davisville also accommodates Council members, staff, and the public for when its meetings need to be scheduled after daytime working hours from a convenience standpoint.

In order to be responsive to the regulated community, the Council needs to hold regularly-scheduled permit decision meetings. Again, because Council members are volunteering their time, their time is allocated first to their daytime jobs. The majority of CRMC meetings that require Council member attendance will therefore have to occur after working hours. Having the CRMC located at Quonset Point/Davisville accommodates Council members, staff, and the public for these meetings as well.

Locating the Council at Quonset Point/Davisville is a reasonable accommodation to meeting this recommendation as it will allow the Council to hold these meetings and hearings within a practicable distance from Council member work locations; give the public a central location to access all of the Council services; and, still allow staff to be effective in their day-to-day

permit application reviews by being situated where a majority of the agency's work load originates.

Because it is not too much farther to travel for East Bay residents, consolidating the Council to Quonset Point/Davisville would provide the general public with a fully accessible CRMC location that is more centrally located than the Wakefield office.

Finally, the synergistic relationship between the Council and the industries located at QPD are obvious: biotechnologies, marine industries, aquaculture, and existing port activities are all prime examples of the types of industries located at or being located to QPD.

The Council is the lead state agency for dredging and aquaculture. Port issues such as dredging are increasing important to both the state and the industries that need deep water commerce facilities. The legislature designated a dredged material disposal facility at QPD; the Council will need to permit, guarantee compliance and monitor its use regularly. Being on-site ensures that this facility will function properly.

Aquaculture has long been slated as a preferred industry for QPD. For the same reasons above, having the Council be on-site ensures proper compliance.

Invasive species management is an area where the Council has taken the lead to understand and minimize the risks associated with bring different species to Narragansett Bay that could overwhelm and destroy native populations. Being at QPD will help facilitate the research by associating the agency with biotechnology firms and marine industries to control the introduction of invasive species.

For these reasons, then, this simple relocation to Quonset Point/Davisville allows the agency to be effective and responsive to the regulated community by being able to meet in a more central location to offer timely and regular permit decisions.

However, as above, consolidation costs money. A new phone system would have to be installed; our computer network infrastructure would have to be built; we would have to ensure that the building and any public/meeting rooms are handicap accessible; we would need new letterhead and envelopes; and, initial setup and moving costs, as well as a long-term lease allocation commitment, would need to be secured.

Invariably it always comes down to the issue of having the funds allocated to the Council – both the initial setup and moving costs as well as the long-term lease costs – which does not allow for any such consolidation. Therefore, because of these costs, the Council has not been able to consolidate its offices into a more central location such as the Quonset Point/Davisville State Office Park.

## **CONTROLS OVER FEES AND FINES**

### Recommendation #10

The Council will develop a system that reconciles the amounts of permit application fees to deposits being made relative to those applications.

### Recommendation #11

The Council will develop a system that better tracks and keeps current the disposition of administrative fees and fines and also that will be supported by adequate documentation.

## **ESTIMATED PROJECT COSTS FOR STATE ASSENT APPLICATIONS**

### Recommendation #12

The Council will utilize its rule-making subcommittee to discuss and potentially develop sufficient, competent and relevant documentation to support application fees which are based on Estimated Project Costs.

## **EMPLOYER-PROVIDED VEHICLES**

### Recommendations #13 and #14

The Council will develop clear written policies to document the circumstances and conditions under which an employee's commuting use of a state-owned vehicle is beneficial to the state and develop a system where the reporting of commuting mileage is done in accordance with Section A-51 of the DOA Procedural Handbook.